



University of California
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October 8, 2019

Michael Laidlaw
4770 Rocklin Road, Suite 1
Rocklin, CA 95677

Sent via email to: 70203-58447426@requests.muckrock.com

Re: California Public Records Act (CPRA) request 019-030

Dear Mr. Laidlaw:

I write regarding your California Public Records Act (CPRA) request dated March 4, 2019.

The University has located 39 pages of responsive records. Some of the information has been redacted. California Government Code exempts the release of information that would be a violation of personal privacy (see Gov Code 6254(c)). This statute is akin to FOIA Exemption 6, which exempts the release of information that "...would be an invasion of personal privacy if released. The following is a list of the types of information routinely redacted from funded grant applications:

- Social security numbers
- Birthdates
- Information that reflects an individual's personal income (percentage of effort, institutional base salary)
- Information regarding pending or non-final support
- The source of any support received from non-public sources
- References to unpublished material

Further, California statutes also incorporate the elements of FOIA Exemption 4 allows protection of trade secrets and confidential commercial or financial information (see Evid. Code, § 1060; Civ. Code, § 3426, et seq). Unpublished research data or detailed protocols (e.g., that reveal specifically how the research will be conducted) are akin to the confidential information covered by Exemption 4. The proprietary information identified by UCSF in these records is neither in the public domain nor in any public abstract.

Information may be deemed confidential if disclosure is likely to cause substantial harm to the competitive position of the person from whom the information was obtained. Research is a competitive field with publication the "coin of the realm" for professional recognition and promotion. Release of the identified proprietary data prior to publication would enable competitors to "scoop" the research and to publish first, even if it meant the release of incomplete, inaccurate or untested results, which is contrary to the public interest.

Please note that the abstract and other aspects of the grant are posted for public viewing at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6647755/>

Sincerely,

Brenda Gee
Communications, Policy, and Records
Office of the Executive Vice Chancellor and Provost

Attachment